

thereon by others of such structures and facilities as shall be the subject of the applicable purchase contracts, and by making available such plans and specifications for the construction of a public building thereon as the Government may possess. Projects heretofore approved pursuant to the provisions of this chapter may be constructed under authority of this section without further approval, and the prospectuses submitted to obtain such approval shall for all purposes, be considered as prospectuses for the purchase of space, except that any such project shall be subject to the requirements of section 606(b) of this title, based upon an estimated maximum cost increased by not more than an average of 10 per centum per year, exclusive of financing or other costs attributable to the use of the method of construction authorized by this section.

(f) Submission and approval of prospectus as prerequisite; exceptions; procedure

Except for previously approved prospectuses referred to in subsection (e) of this section, no purchase contract shall be entered into pursuant to the authority of this section until a prospectus therefor has been submitted and approved in accordance with section 606 of this title.

(g) Expiration of contracting authority

No purchase contract shall be entered into under the authority granted under this section after the end of the third fiscal year which begins after June 16, 1972.

(h) Prohibition on providing space until expiration of 30 days from notification of Congressional committees by Administrator

No space shall be provided pursuant to this section until after the expiration of 30 days from the date upon which the Administrator of General Services notifies the Committees on Appropriations of the Senate and House of Representatives of his determination that the best interests of the Federal Government will be served by providing such space by entering into a purchase contract therefor.

(Pub. L. 92-313, §5, June 16, 1972, 86 Stat. 219; Pub. L. 103-437, §14(a), Nov. 2, 1994, 108 Stat. 4590.)

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, as amended, referred to in subsec. (a), is act June 30, 1949, ch. 288, 63 Stat. 393, as amended. Title III of the Federal Property and Administrative Services Act of 1949 is classified generally to subchapter IV (§251 et seq.) of chapter 4 of Title 41, Public Contracts. For complete classification of this Act to the Code, see Short Title note set out under section 471 of this title and Tables.

This chapter, referred to in subsec. (e), was in the original “the Public Buildings Act of 1959, as amended (40 U.S.C. 601 et seq.)”, meaning Pub. L. 86-249. For complete classification of this Act to the Code, see Short Title note set out under section 601 of this title and Tables.

CODIFICATION

Section was enacted as part of the Public Buildings Amendments of 1972, and not as part of the Public Buildings Act of 1959 which comprises this chapter.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-437 substituted “Committee on Environment and Public Works of the Senate

and the Committee on Public Works and Transportation of the House of Representatives” for “Committees on Public Works of the Senate and House of Representatives”.

CHANGE OF NAME

Committee on Public Works and Transportation of House of Representatives treated as referring to Committee on Transportation and Infrastructure of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

EFFECTIVE DATE

Section effective June 16, 1972, see section 11 of Pub. L. 92-313, set out as an Effective Date of 1972 Amendment note under section 603 of this title.

ISSUANCE OF REGULATIONS PURSUANT TO PUBLIC BUILDINGS AMENDMENTS OF 1972; APPROVAL OF RATES FOR SPACE AND SERVICES FURNISHED

Administrator to issue and coordinate regulations with Office of Management and Budget and Director of such Office to approve rates for space and services furnished, see section 7 of Pub. L. 92-313, set out as a note under section 603 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 490i of this title.

§ 603. Alteration of buildings; acquisition of land; exemption from committee approval

(a) The Administrator is authorized to alter any public building, and to acquire in accordance with section 604 of this title such land as may be necessary to carry out such alteration.

(b) No approval under section 606 of this title shall be required for any alteration and acquisition authorized by this section the estimated maximum cost of which does not exceed \$1,500,000.

(Pub. L. 86-249, §4, Sept. 9, 1959, 73 Stat. 479; Pub. L. 92-313, §2(1), June 16, 1972, 86 Stat. 216; Pub. L. 100-678, §2, Nov. 17, 1988, 102 Stat. 4049.)

AMENDMENTS

1988—Subsec. (b). Pub. L. 100-678 substituted “\$1,500,000” for “\$500,000”.

1972—Subsec. (b). Pub. L. 92-313 substituted “\$500,000” for “\$200,000”.

EFFECTIVE DATE OF 1972 AMENDMENT

Section 11 of Pub. L. 92-313 provided that: “This Act [see Short Title of 1972 Amendment note set out under section 601 of this title] shall become effective upon enactment [June 16, 1972]. The effective date of applying the rates to be charged pursuant to the regulations to be issued under subsections (j) and (k) of section 210 of the Federal Property and Administrative Services Act of 1949, as amended [section 490(j) and (k) of this title], shall be as determined by the Administrator of General Services but in any event shall not be later than the beginning of the third full fiscal year subsequent to the enactment thereof.”

ISSUANCE OF REGULATIONS PURSUANT TO PUBLIC BUILDINGS AMENDMENTS OF 1972; APPROVAL OF RATES FOR SPACE AND SERVICES FURNISHED

Section 7 of Pub. L. 92-313 provided that: “To carry out the provisions of the Public Buildings Amendments of 1972 [see Short Title of 1972 Amendment note set out under section 601 of this title], the Administrator of General Services shall issue such regulations as he deems necessary. Such regulations shall be coordinated with the Office of Management and Budget, and the

rates established by the Administrator of General Services pursuant to sections 210(j) and 210(k) of the Federal Property and Administrative Services Act of 1949, as amended [section 490(j) and (k) of this title], shall be approved by the Director of the Office of Management and Budget."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 606, 614 of this title.

§ 604. Sites

(a) Acquisition of lands or interests therein

The Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, such lands or interests in lands as he deems necessary for use as sites, or additions to sites, for public buildings authorized to be constructed or altered under this chapter.

(b) Public buildings used in whole or in part for post office purposes; cooperation between Administrator and Postal Service

Whenever a public building is to be used in whole or in part for post office purposes, the Administrator shall act jointly with the United States Postal Service in selecting the town or city wherein such building is to be constructed, and in selecting the site in such town or city for such building.

(c) Solicitation of proposals for sale, donation, or exchange of real property; selection of site most advantageous to United States

Whenever the Administrator is to acquire a site under this section, he may, if he deems it necessary, solicit by public advertisement, proposals for the sale, donation, or exchange of real property to the United States to be used as such site. In selecting a site under this section the Administrator (with the concurrence of the United States Postal Service if the public building to be constructed thereon is to be used in whole or in part for post office purposes) is authorized to select such site as in his estimation is the most advantageous to the United States, all factors considered, and to acquire such site without regard to title III of the Federal Property and Administrative Services Act of 1949, as amended [41 U.S.C. 251 et seq.].

(Pub. L. 86-249, § 5, Sept. 9, 1959, 73 Stat. 479; Pub. L. 91-375, § 4(a), Aug. 12, 1970, 84 Stat. 773.)

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, as amended, referred to in subsec. (c), is act June 30, 1949, ch. 288, 63 Stat. 393, as amended. Title III of the Federal Property and Administrative Services Act of 1949 is classified generally to subchapter IV (§ 251 et seq.) of chapter 4 of Title 41, Public Contracts. For completed classification of this Act to the Code, see Short Title note set out under section 471 of this title and Tables.

TRANSFER OF FUNCTIONS

In subsecs. (b) and (c), "United States Postal Service" substituted for "Postmaster General" pursuant to Pub. L. 91-375, § 4(a), Aug. 12, 1970, 84 Stat. 773, set out as a note under section 201 of Title 39, Postal Service, which abolished office of Postmaster General of Post Office Department and transferred its functions to United States Postal Service.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 603 of this title.

§ 605. Construction of new buildings

(a) Replacement of existing buildings; demolition, exchange or sale

Whenever the Administrator deems it to be in the best interest of the United States to construct a new public building to take the place of an existing public building, he is authorized to demolish the existing building and to use the site on which it is located for the site of the proposed public building, or, if in his judgment it is more advantageous to construct such public building on a different site in the same city, he is authorized to exchange such building and site, or such site, for another site, or to sell such building and site in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 471 et seq.].

(b) Sale or exchange of sites

Whenever the Administrator determines that a site acquired for the construction of a public building is not suitable for that purpose, he is authorized to exchange such site for another, or to sell it in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 471 et seq.].

(c) Committee approval as condition precedent to use of land as site for building

Nothing in this section shall be deemed to permit the Administrator to use any land as a site for a public building if such project has not been approved in accordance with section 606 of this title.

(Pub. L. 86-249, § 6, Sept. 9, 1959, 73 Stat. 479.)

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, as amended, referred to in subsecs. (a) and (b), is act June 30, 1949, ch. 288, 63 Stat. 377, as amended. Provisions of that act relating to disposal of government property are classified to chapter 10 (§ 471 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 471 of this title and Tables.

CROSS REFERENCES

Design and construction of public buildings to accommodate the physically handicapped, see section 4151 et seq. of Title 42, The Public Health and Welfare.

§ 606. Approval of proposed projects by Congress

(a) Limitation of funds; transmission to Congress of prospectus of proposed project

In order to insure the equitable distribution of public buildings throughout the United States with due regard for the comparative urgency of need for such buildings, except as provided in section 603 of this title, no appropriation shall be made to construct, alter, purchase, or to acquire any building to be used as a public building which involves a total expenditure in excess of \$1,500,000 if such construction, alteration, purchase, or acquisition has not been approved by resolutions adopted by the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives. No appropriations shall be made to lease any space at an av-